

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

In re:
The Financial Oversight and Management Board for
Puerto Rico,

as representative of
The Commonwealth of Puerto Rico, *et al.*,

Debtors.¹

PROMESA

Title III

No. 17 BK 3283-LTS

In re:
The Financial Oversight and Management Board for
Puerto Rico,

as representative of
The Puerto Rico Electric Power Authority,

Debtor.

PROMESA

Title III

No. 17 BK 04780-LTS

**ORDER GRANTING MOTION TO SEAL FOR LIMITED DURATION AND
FOR SUPPLEMENTAL BRIEFING**

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the "Commonwealth") (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

This matter is before the Court on the *Urgent Motion to File Under Seal Official Committee of Unsecured Creditors' Reply in Support of Motion In Limine to Strike and Exclude Improper Lay Opinion Testimony of Frederic Chapados Regarding Alleged Effect of 9019 Settlement on PREPA Transformation* (Dkt. No. 9395 in 17-BK-3283, Dkt. No. 1794 in 17-BK-4780) (the "Motion to Seal"). Through the Motion to Seal, the UCC² seeks to file under seal an unredacted version of the *Official Committee of Unsecured Creditors' Reply in Support of Motion in Limine to Strike and Exclude Improper Lay Opinion Testimony of Frederic Chapados Regarding Alleged Effect of 9019 Settlement on PREPA Transformation* (Dkt. No. 9393 in 17-BK-3283 and Dkt. No. 1793 in 17-BK-4780) (the "Reply"). A partially redacted version of the Reply has already been filed on the docket. The UCC redacted certain deposition testimony by Frederic Chapados, an investment banker at Citigroup Global Markets Inc. ("Citi") and an advisor to the Government Parties, designated "Professionals' Eyes Only" by the Government Parties and Citi pursuant to the Protective Order (Dkt. No. 1322, dated June 11, 2019).

The Motion to Seal does not include sufficient information to justify sealing of the redacted information. Thus, the Court will only permit the Reply to be filed under seal for a limited duration, during which the Government Parties and/or Citi may submit briefing to the Court explaining why continued sealing is appropriate. Accordingly:

1. The UCC is entitled to file the full, unredacted version of the Motion *in Limine* under seal.
2. The Clerk of Court shall allow access to the unredacted version of the Motion *in Limine* to those parties who have signed the Protective Order (Dkt. No. 1322).
3. The Government Parties and/or Citi shall file with the Court a short brief justifying the

² Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion to Seal.

continued sealing of any currently redacted information in the Motion *in Limine* by
December 30, 2019.

4. The Court will thereafter take any requests for continued sealing on submission.
5. This Order is without prejudice to the rights of any party in interest to seek to unseal the documents or any part thereof.

SO ORDERED.

Dated: December 4, 2019

/s/ Judith G. Dein
HONORABLE JUDITH GAIL DEIN
UNITED STATES MAGISTRATE JUDGE